

Minutes of a Regular Meeting of the City Council.
Austin, Oct. 3, 1887.

W. A. J. W. Roberts, Mayor, presiding.

(Roll Call) Present, Alderman Anderson, Brush,
Campbell, Cummings, Fisher, Gruber, Jones, Odell,
Patt, Townsend, Watson, Warren, Wilkinson, Wortham H.
Absent - Aldermen Alexander, Caldwell, Metz, Phillips,
Schneider, Schubert.

Minutes. The minutes of the last meeting of the City Council were
adopted as printed.

Geo Washington. 1) Alderman Jones introduced a petition from Geo.
Washington, a City Messenger, requesting the City Council
to allow him pay for one month, he having lost two
months' time on account of sickness, laid over.

Reports of Officers for the month of September, 1887:

Marshal Report Report of City Marshal.
Total amount of fines and costs assessed in records
Court \$986.15
Amount Collected in Cash \$581.05
" Worked out 233.15
" Escaped, appealed, remitted by City Council,
turned over to Travis County and carried
forward 171.95
Total \$986.15

Backfines, etc., Collected \$39.40

Total number of arrests 111

Referred to police Committee.

Physician Report Report of City Physician.

Number of patients in hospital Sept 1.	7.
" " admitted to " during "	9
" " discharged " "	7
" deaths " "	2

Cause of death: Softening of brain 1,

Chronic dysentery 1.

" patients remaining in hospital Oct 1,	7.
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" Visits made	149.
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" Prescriptions written	186.
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Four cases of Scarlet fever reported.

One case of diphtheria reported.

A few cases of dengue fever in a mild form.

The health of City continues very good.

Septem.

Report of City Sexton.	
Total number of deaths	15
White	7
Colored	8
Male	9
Female	6

Octobr.

Report of City Clerk..

Total amount of warrants issued \$5,318.15.

Treasor.

Statement Report. - Sept. 1887.

Balances on hand August 31,	\$5,154.57.
Recd. from Assessors Collector:	
Advertisement tax	\$2,814.78
License " "	1,750.38
General fund	653.40
City Cemetery	13.00
Greenwood "	120.00
	Total
	\$5,252.16
	\$10,737.03

Disbursements.

City Cemetery, paid warrants	\$70.55
General fund " "	6078.80 - \$6,099.65
(Cost of Balances) September 30:	
City Cemetery	\$770.55
Greenwood "	280.00
Back debt fund	172.73
Internal "	25.00
General "	3,389.10 - <u>11,637.38</u>
	Total
	\$10,737.03

Unappropriated Balances:

Greenwood Cemetery \$280.00

Referred to Finance Committee.

Records for the Finance Committee submitted a favorable report on an ordinance prescribing the records to be kept by the City assessor and collector. No action was taken on the report. The water and gas Committee A.W.S. & Co. submitted the following report:

+ To the City Council of the City of Austin:

Water Co.

Your Special Committee to whom was referred the ordinance granting to Alexander Nalls and associates, and the Austin Water Light and Power Company the privilege of erecting poles on the streets and alleys of the city of Austin, by the

Report that, after a careful consideration of said Ordinance, that your Committee recommend that the Ordinance granting said privilege to the Austin Water, Light and Power Company do pass, after being amended so as to conform to the proposition of said company which is herewith furnished:

Proposition.

is the proposition...

Austin, Tex., (etc.), 1882.

C. E. Henderson, Esq., Chairman Committee on Waterworks:

Dear Sir - We hereby agree to furnish lights to the following places free of charge during the period of Ordinance granting to the Austin Water, Light & Power Company right of way to erect poles and wires:

(City Hall) and Offices,
Sixteen lamps, four to run all night; Colorado
Company and Stock and Ladder Company, twelve lamps in hall.
Three down Stairs; two of which to burn all night;
(D) Washington, Sixteen lamps in hall and two down stairs,
One to run all night.

East Austin Company, Protection Company and the
hospital to be furnished with a reasonable number
as soon as the wire reaches those places. The
Austin Water, Light and Power Company will wire
the above places in accordance with their rules.
The City to pay for all lamps after they are first
introduced, at 75 cents each. The lamps will burn
800 hours.

Very Respectfully,

A. W. L. & P. C.

By M. D. Mather, President.

Continuation of Committee report:

Watts Co.

Your Committee

further report that they deem it unwise to pass
the Ordinance granting to Sylvester Watts and
associates the privilege of erecting poles and
laying water pipes in and through the streets
of the City of Austin for the following reasons:

Mr. Watts stated to your Committee that he did
not intend to exercise the privilege granted by said
Ordinance, and that it was his purpose to assign
whatever rights he had under it to a Corporation; he
declined to state to your Committee who composed such

Corporation, or to give them any satisfactory information concerning the same, and therefore your Committee were unable to determine whether such corporation was one that should receive recognition at the hands of the City Council. In the opinion of your Committee a franchise should not be granted to any person or corporation unless assurance be given that such franchise will be exercised by the party receiving it. The franchises granted by the City Council should not be a basis of speculation and trade in the hands of those to whom they are granted. And as a further reason why said ordinance should not pass, your Committee would suggest that Mr. Watts does not propose to lay water pipe of sufficient size to afford fire protection, and therefore should said ordinance pass it would not create competition from which the City of Austin, as a corporation could realize any benefit. Your Committee do not wish to be understood as being opposed to granting franchises to any responsible corporation when the interest of the city is carefully guarded, and will cheerfully further the aims of Mr. Watts or any other responsible person, whenever the interest of the city or its citizens will be subserved thereby, and they oppose the passage of the ordinance under consideration solely because it does not fully protect the interest of the city.

Respectfully,

C. C. Anderson,
J. J. Campbell,
J. Cummings.

The report was laid over to be taken up with ordinances.

Ald. Schneider
San Marcos St.
repeal \$1000 to
open.

Alderman Schneider came in.

An ordinance repealing section 5 of an ordinance entitled an ordinance making appropriation for a topographical survey and other purposes, passed March 21, 1887 was taken up on its second reading and read, together with a favorable committee report on the same, after which action on it was, on motion, indefinitely postponed.

Pecan St. An Ordinance appropriating \$1000 for work on Pecan Street was taken up on its second reading and read, together with an adverse report by a majority of the Street Committee.

On motion, action on the Ordinance was indefinitely postponed.

Ald. Phillips.
A. & S. & C.

Alderman Phillips came in. An Ordinance granting to the Austin Water, Light and power Company, their associates, successors or assigns, the right to erect poles and wires for the purpose of constructing and operating a system of electric light and motive power in the City of Austin, was taken up on its second reading and read, together with a portion of the Committee report above mentioned, which relates to the same.

W.F.E. Co. lights

Colorado ... " Alderman Anderson, by unanimous consent of the Council, decrease the number of lights recommended for use of Washington Fire Engine Company, from sixteen to twelve lamps, and increased the number set apart for Colorado Company and Austin Hook and Ladder Company, from twelve to sixteen lamps, which change, it will be seen, makes no difference in the total number of lights required. A motion was then made to adopt that portion of the Committee report above mentioned, which relates to the Ordinance now under consideration. The motion prevailed, after which Alderman Walker moved to amend the Ordinance by adding the following to Section 1:

Provided further, that said Austin Water, Light and Power Company shall not charge consumers exceeding the following maximum rates, towit:

Rates of Domestic illumination:
\$10.00 per annum for the first lamp.

9.00	"	"	"	"	Second	"
8.00	"	"	"	"	Third	"
7.00	"	"	"	"	fourth	"
6.00	"	"	"	"	fifth	"
5.00	"	"	"	"	Sixth	"
4.00	"	"	"	"	Seventh	"

" \$3.00 per annum for the eighth lamp.

2.00 " " " each subsequent"

Rates per lamp per annum for Commercial lighting.

Running time

To 9.15 Saty 10.15

To 10.15 " 11.15

To 12.15 nightly

All night

	10 C.P.	16 C.P.	25 C.P.	50 C.P.
\$9.00	\$12.00	\$18.00	\$34.00	
10.50	14.00	24.00	40.00	
12.00	16.00	25.00	45.00	
16.00	22.00	33.00	62.00	

The motion carried, after which a motion was made to suspend the rules and place the Ordinance on its third reading, which was adopted by the following vote - Yeas - Aldermen Anderson, Brush, Campbell, Cummings, Fisher, Graham, Jones, Odell, Platt, Phillips, Schneider, Townsend, Walker, Warren, Wellmer, Wortham - 16.

The Ordinance was then read a third time by caption, after which on motion, it passed. Alderman Metz came in.

Ald. Metz.
Watts Co.

The Ordinance providing for a supply of water, gas and electricity to the City of Austin, Travis County, Texas, and authorizing Sylvester Watts and his assigns to construct, maintain and operate water, gas and electric works, was taken up on its second reading, together with the adverse report of the Water and Gas Committee, which is given above in full.

The report of the Committee was, on motion, adopted thereby killing the Ordinance.

Records to be kept by the City assessor and Collector, was taken up on its second reading and read, after which a motion was made to suspend the rules and place the Ordinance on its third reading, which was unanimously adopted by the aldermen present.

The Ordinance was then read a third time, and, on motion, passed.

Wm Maxey

The Mayor asked consent of the Council to the remission of balance of fine and costs assessed in recorder's court against Wm Maxey. On motion, the Council concurred in the remission.

Veto.

The Mayor submitted the following:

Veto of

Mayor's Office, City of Austin,
Oct. 3, 1887.

To the City Council:

I return herewith an Ordinance entitled "An Ordinance punishing persons for renting houses to be used as houses of public prostitution within certain limits in the City of Austin", without my approval.

This Ordinance prohibits the owner from renting or using any house situated north of Cedar or Fourth street, east of Colorado Street, and west of Guadalupe Street for the purposes of public prostitution. That portion of the city lying south of Cedar, or Fourth street, and between Colorado Street and Guadalupe Streets, is excluded from the provisions of this ordinance, and the ordinance, in effect, legalizes the renting and using of premises situated within this territory for the purposes of public prostitution. This territory comprises eight blocks, and includes much valuable property.

I hardly believe that the owners of this property prefer that it be condemned to the purposes of public prostitution by an ordinance of the City. Further, the property lying immediately north, east and west of this excepted territory will be as much affected in its use and value from its location and proximity to those blocks as if included in them.

This ordinance, by implication, extends license and recognition to public prostitution within the enclosed limits. If the city by this ordinance makes legal the contract by which the landlord rents his property situated within the territory excepted for the uses of public prostitution, then the city cannot, with propriety or justice, interfere with the tenant in the pursuance of her occupation.

While I believe that the charter of the city authorizes the passage of this ordinance, yet, I am unwilling to legalize what the laws of the state forbid.

I believe the spirit of the ordinance is against public policy, and that it is not likely to be

promotive of good morals. My chief objection to the Ordinance is in this territorial limitation of its operation. I cannot approve of the exemption from its provisions of a part of the territory and population of the city.

If it applied to the whole city alike, and excepted from its operation no part of its territory or property, then its objectionable features in this regard would be removed, and it would then be just and fair to the people of the whole City, and would bear upon all alike.

(for reasons stated i) Cannot approve this Ordinance), and return it to you for reconsideration

JW Robertson, Mayor.

After reading of the Veto, a motion was made and adopted, to reconsider the vote by which the Ordinance was passed.

Sustained. A motion was made, Shall the Ordinance pass notwithstanding the Veto? The motion was decided in the negative by the following Vote: (Yea - Aldermen Anderson, Fisher, Graham, Walker, Wortham - 5. Nays - Aldermen Brush, Campbell, Cummings, Jones, Metz, Odell, Platt, Phillips, Schneider, Townsend, Warren, Wellmer - 12.

Approved
acts. Alderman Odell introduced an Ordinance appropriating \$1,068.17 for the purpose of paying approved accounts. The Ordinance was read, after which a motion was made to suspend the rules and place the Ordinance on its second reading, which was adopted by the following Vote:

(Yea - Aldermen Anderson, Brush, Campbell, Cummings, Fisher, Graham, Jones, Metz, Odell, Platt, Phillips, Schneider, Townsend, Walker, Warren, Wellmer, Wortham - 12.

Roger Blunt Alderman Jones moved to amend the ordinance by adding \$25 to be refunded to Roger Blunt, that amount having been conditionally paid to the City for license taxes. The amendment was adopted.

Geo Washington. Alderman Jones also moved to amend the Ordinance by adding \$25 to pay George Washington, a City Dravenger, for part of time lost on account

of Alderman's adopted. Motion was then made to suspend the rules and pass it. Ordinance for its third reading, and that it do pass, both of which were adopted by the following vote:

(1) 22 - Aldermen Anderson, Brush, Cummings, Fisher, Graham, Jones, McT., Odell, Pratt, Phillips, Schneider, Townsend, Walker, Wilmer, Wortham - 15.

(2) 14 - Aldermen Campbell and Warren - 2.

Res. Phys. Alderman Fisher introduced an Ordinance repealing article 231, Chapter 9, title 5 of the Revised Civil Ordinances of the City of Austin. The aim of the Ordinance is to abolish the office of resident physician of the city and County hospital on and after December 12, 1887. The Ordinance was referred to the hospital Committee.

City Phys. Health (Alderman) Fisher also presented an Ordinance amending Police. Article 190, Chapter 6, title 5, of the Revised Civil Ordinances of the City of Austin. This Ordinance takes all control over policemen and health inspectors, in regard to matters of health out of the hands of the City physician, after December 12, 1887.

Referred to the Hospital Committee.

Alderman Fisher also offered an Ordinance amending article 229, Chapter 9, title 5, of the Revised Civil Ordinances of the City of Austin. This Ordinance seeks to reduce the number of policemen to twelve, beginning the second Monday in December, 1887. Referred to police Committee.

Alderman Fisher also introduced a resolution instructing the City Assessor and Collector not to sell or offer for sale any lot or lots in Greenwood Cemetery. The Mayor held that the effect of the resolution would be the same as repealing Ordinances, and ruled that the resolution would have to be read in the Council for three separate days unless two-thirds of the members should dispense therewith. Alderman Fisher then withdrew the resolution.

Alderman Brush introduced a resolution similar to the one offered by Alderman Fisher, and the Mayor ruled as above; whereupon Alderman

(B) Brush also withdrew the resolution.
 Repeal Alderman (?) with them presented an Ordinance repealing
 Greenwood an Ordinance providing for the establishment of a
 Cemetery near the City of Austin, to be known
 Cemetery as Greenwood Cemetery, and providing for and purchase
 of land therefore and making an appropriation to carry
 the same into effect, approved July 21, 1886, and
 an Ordinance entitled an Ordinance amending Section
 8 of said Ordinance approved April 9, 1887.
 A motion was made to suspend the rules and place
 the Ordinance on its second reading which was
 lost by the following vote:

Yea - Aldermen Brush,
 Campbell, Fisher, Jones, Metz, Galt, Phillips,
 Schneider, Townsend - 9.
 Nay - Aldermen Anderson, Cummings, Graham,
 Odell, Walker, Warren, Wellmer and Wortham - 8.
 On motion, the Council then adjourned.
 Milton Morris,
 City Clerk.